

FILED 06 SEP 28 17:26 USDC DRP

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KEN GRIFFIN,

Plaintiff,

vs.

UVEX SAFETY MANUFACTURING,  
INC., a Delaware corporation, acquired by  
and name changed to BACOU-DALLOZ  
EYE & FACE PROTECTION, INC., a  
Delaware corporation; BACOU-DALLOZ  
USA SAFETY, INC., a Delaware  
corporation, formerly known as Bacou  
USA, Inc., a Delaware corporation by  
merger with Uvex Safety, Inc., now known  
as SURVIVAIRES RESPIRATORS, INC.,  
a Delaware corporation; BACOU-DALLOZ  
USA, INC., a Pennsylvania corporation;  
W.W. GRAINGER, INC., an Illinois  
corporation; and ACCURACY GRINDING  
INC., an Oregon corporation,

Defendants.

Case No. 06-852-ST

ORDER

Peter O. Hansen  
Law Office of Peter O. Hansen  
620 S.W. Fifth Avenue, Suite 1210  
Portland, Oregon 97204

Attorney for Plaintiff

Daniel Sheldon Hasson  
William G. Earle  
Davis Rothwell Earle & Xochihua, PC  
1900 Wells Fargo Center  
1300 S.W. Fifth Avenue  
Portland, Oregon 97201-5604

Gary W. Harvey  
Victoria A. Crawshaw  
Morrison Mahoney, LLP  
250 Summer Street  
Boston, MA 02210-1181

Kathryn Reynolds Morton  
Law Offices of Andersen & Nyburg  
650 N.E. Holliday  
P. O. Box 4400  
Portland, Oregon 97208-4400

Attorneys for Defendants

KING, Judge:

The Honorable Stewart, United States Magistrate Judge, filed Findings and Recommendation on August 28, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#16).

IT IS HEREBY ORDERED that Griffin's Motion to Remand and for Attorney Fees (#5) and Accuracy's Motion for Remand to State Court and Request for Attorney Fees (#8) are granted. The Clerk of Court is asked not to remand this action until further order of this court so that I can resolve the attorney fees issue. Defendants are ordered to file supplemental motions for fees and costs, along with appropriate supporting documents, by October 6, 2006. Plaintiffs may respond by October 13, 2006.

DATED this 28 day of September, 2006.

A handwritten signature in black ink, appearing to read "Garr M. King", is written over a horizontal line.

GARR M. KING  
United States District Judge